

**ECOS Fall Meeting  
August 2015  
Region 6 Issue Topics:**

AR Water Quality Standards Revisions

Georgia Pacific (GP) – Crossett – NPDES Permit Renewal

EPA Action on Louisiana’s 2014 303(d) List

Gold King Mine Spill – Drinking Water Response

Los Alamos MS4 Designation Decision

NPDES Permit Reissuance for Los Alamos National Laboratory (LANL) Storm Water

NM Abandoned Uranium Mines - Tronox Settlement

Chevron Questa Mine Superfund Site

Homestake Mining Company Site, Cibola County, NM

Kirtland Air Force Base (KAFB), Albuquerque, NM – Fuel Spill and EDB Plume

Tar Creek Superfund Site, Ottawa County

Injection Induced Seismicity

Texas DWSRF ULO

San Jacinto River Waste Pits Superfund Site, Harris County, TX

South Cavalcade Superfund Site

Syrian Chemicals Waste at Veolia Environmental Services, Port Arthur, Texas

Treatment in a Manner Similar to a State (TAS) Determinations for CWA §303(c) and §401

Children’s Environmental Health on the Border: Protecting Children Where They Live, Learn,  
and Play

Arkansas, Louisiana and Texas Regional Haze

Release of the Clean Power Plan for new, modified and existing fossil fueled EGUs and the  
Proposed Federal Plan

RA participation in the ECOS subgroup “Shale Forum”

**ECOS Fall Meeting  
August 2015**

**Arkansas**

**Issue: AR Water Quality Standards Revisions**

**Message:**

- Region 6 is working closely with the Office of Water on the review
- Region 6 is working ADEQ and expects to take action by the end of October.

Contact: William Honker, 214-665-3187

**Background/Status:**

R6 is currently reviewing 2014 revisions to the State's WQS (known as "Regulation 2" in the State). ADEQ provided a February 6 letter of clarification on several issues, and the Region expects to finalize and take action by the end of October. R6 is working closely with OW on the review. The state's revisions include changes to their minerals criteria, which were the target of State legislation passed in 2013. Due to inconsistencies with the CWA, R6 began the process to federalize over 20 NPDES permits during the summer of 2013, and the state legislature rescinded the legislation later that year.

**Issue: Georgia Pacific (GP) – Crossett – NPDES Permit Renewal**

**Message:**

- The ADEQ issued NPDES Permit for GP Crossett (AR0001210) will expire on October 31, 2015, and the Region should be receiving a proposed draft permit renewal later this summer for review in accordance with the MOA between EPA and ADEQ.
- Region 6 is currently reviewing a draft modification to the GP Crossett permit to add chemical treatment to reduce sulfide emissions.
- The Region is also preparing a response to a Freedom of Information Request from Tulane Law Clinic regarding the GP-Crossett's NPDES permit.

Contact: William Honker, 214-665-3187

**Background/Status:**

Georgia Pacific Corporation (Georgia-Pacific) operates a pulp and paper mill, a chemical plant, and a building products plant in Crossett, AR, near the AR-LA state line. The wastewater and process area storm water is treated by an on-site industrial wastewater treatment system, and wastewater is discharge into Mossy Lake, then to Coffee Creek and ultimately into the Ouachita River. Since neither Mossy Lake nor Coffee Creek have applicable beneficial uses or water quality standards, the permit is protective of uses and standards applicable to the Ouachita River. Both Tulane Law Clinic and Ouachita River Keeper have expressed concern over the issued NPDES permit in the past.

## **Louisiana**

### **Issue: EPA Action on Louisiana's 2014 303(d) List**

#### **Message:**

Contact: William Honker, 214-665-3187

#### **Background/Status:**

July 21, 2015, Region 6 took final action on the LA 2014 303(d) list. EPA's action added 43 water bodies to the list submitted by the state, based on review of available data. Additions included 3 coastal segments west of the mouth of the Mississippi River due to impairment of dissolved oxygen. The same segments were added by R6 to the state's 2008, 2010, and 2012 lists. The low DO levels are thought to be the result of the Gulf Hypoxic Zone moving into near-shore waters. During the open comment period prior to EPA's final action, LDEQ submitted comments opposing EPA's proposed additions to the 2014 list. LDEQ is concerned that the traditional TMDL process is not appropriate for the situation. During the same comment period, several environmental groups submitted comments supporting EPA's proposed additions to the 2014 list.

## **New Mexico**

### **Issue: Gold King Mine Spill – Drinking Water Response**

#### **Message:**

- In New Mexico, EPA has a team of two federal on-scene coordinators, two water quality experts and ten technicians and contractors responding to the spill as it reaches communities in the state. Additional personnel are arriving in Farmington and will total 26 employees and contractors.
- Staffing is expected to continue to grow to support outreach and door-to-door canvassing. EPA is continuing to collect water quality samples from nine locations in the river near intakes for Aztec, Farmington, the Lower Valley Water Users Association, the Morning Star Water Supply System and the North Star Water User Association.
- EPA has two dedicated water quality experts available in New Mexico to assist the five drinking water systems. EPA and New Mexico Environment Department are providing free water quality testing for domestic drinking water wells along the river, and teams of qualified technicians are going door-to-door to collect samples for laboratory analysis.

#### **Background/Status:**

On August 5, while investigating the Gold King Mine in Colorado, an EPA cleanup team triggered a large release of mine wastewater into Cement Creek. EPA is working closely with responders and local and state officials to monitor water contaminated by the release. The release's path flows through three of EPA's regions (Region 8 (Colorado/Utah & Southern Ute

Tribe); Region 6 (New Mexico), and Region 9 (Navajo Nation). EPA has activated its Emergency Operations System to ensure coordination among its regions, laboratories and national program offices in Washington, D.C. EPA is closely coordinating with officials in Colorado, New Mexico, Utah, Southern Ute Tribe and Navajo Nation.

**Issue: Los Alamos MS4 Designation Decision**

**Message:**

- Various public, environmental and Tribal organizations concerned about environmental and human health impacts of pollutants primarily related to past and current LANL operations.
- Township and County of Los Alamos, LANL, NMDOT, and White Rock would be impacted by becoming a regulated MS4.
- Several ephemeral and intermittent waters in the Los Alamos area are listed as impaired for one or more pollutants including PCBs, gross alpha, aluminum, copper, zinc, arsenic, selenium, thallium, and mercury and several of the listed water quality impairments are for human health water quality standards.
- Several Tribes are located below LANL.
- Notice of a preliminary designation decision published in the Federal Register on 3/17/15.
- Designation would cover the Los Alamos and White Rock Urban Clusters and LANL property within Los Alamos County (not the entire county).
- Comment period ended on June 15, 2015.
- Citizens for Clean Water, Amigos Bravos, and most individual commenters support designation. Los Alamos National Lab comments focused primarily on the designation boundary.
- However, Los Alamos County, New Mexico Department of Transportation, and the New Mexico Environment Department oppose designation.
- EPA will finalize the preliminary designation by September 30, 2015.

Contact: William Honker, 214-665-3187

**Background/Status:**

On June 30, 2014, Amigos Bravos petitioned Region 6 to designate for permitting currently unregulated storm water discharges in Los Alamos County contributing to violations of water quality standards. Los Alamos County, NM, is home to LANL, which has contamination issues related to past activities dating back to WWII. Only limited portions of LANL are “industrial activity” and currently require a storm water permit. Under the individual storm water permit, LANL is allowed to delete sites from the permit following cleanup and confirmation run-off sampling. LANL claims that for some sites, run-on from urban and other areas already exceed water quality-based cleanup confirmation targets. Note: In separate action, renewal of this permit proposed 3/28/15. LANL’s “contaminated run-on” information was used by Amigos Bravos in the petition.

## **New Mexico**

### **Issue: NPDES Permit Reissuance for Los Alamos National Laboratory Storm Water**

#### **Message:**

- EPA is working on response to comments and the final permit decision.

Contact: William Honker, 214-665-3187

#### **Background/Status:**

The individual storm water permit regulates storm water runoff from about 400 Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs). LANL has installed over 1000 BMPs to eliminate or mitigate runoff from those sites. The current permit expired March 31, 2014, and has been administratively continued. EPA proposed the permit renewal March 28, 2015, and held a public meeting in Los Alamos May 6, 2015.

### **Issue: NM Abandoned Uranium Mines - Tronox Settlement**

#### **Message:**

- \$985 million Tronox Settlement will fund the cleanup of approximately 49 abandoned uranium mines
- In 2015, Region 6 started the assessment of two mines and are continuing activities to assess mining impacts to groundwater.

Contact: Carl Edlund, 214-665-8124

#### **Background/Status:**

The approximately \$985 million Tronox Settlement will fund the cleanup of approximately 49 abandoned uranium mines in NM and on the Navajo Nation. EPA Regions 6 and 9, along with the Navajo Nation EPA and New Mexico Environmental Department and New Mexico Energy, Minerals and Natural Resources Department are identifying project activities and goals at the abandoned uranium mines. NM projects include environmental assessments of select mines and continuing activities to assess the mining impacts to groundwater.

### **Issue: Chevron Questa Mine Superfund Site**

#### **Message:**

- The EPA continues to work closely with state agencies in New Mexico to implement early remedial design elements including water treatment systems, mine de-watering, evaluation of vegetation and cover options, and waste rock piles for the pilot projects.
- The removal action at Eagle Rock Lake addresses the contamination of lake sediments from historical operations.

Contact: Carl Edlund, 214-665-8124

**Background/Status:**

The Chevron Questa Mine site (Site), formerly MolyCorp, Inc., is located in and near the village of Questa, Taos County, New Mexico. The Site includes a former molybdenum mine and milling facility and tailing, which are currently owned by Chevron Mining Inc. (CMI). A nine-mile long pipeline running along State Highway 38 connects the milling facility to the tailings ponds. Mining operations at the site began at the mine in 1920. Open pit mining was conducted from 1965 to 1983 and resulted in over 328 million tons of acid-generating waste rock being placed into nine piles surrounding the open pit. Over 100 million tons of tailing have been disposed at the tailing ponds.

**Issue: Homestake Mining Company Site, Cibola County, NM****Message:**

- EPA is actively working with the community and the responsible party to cleanup groundwater contamination at this uranium mill site.
- Homestake is accelerating ground water cleanup by expanding treatment capacity and expects to achieve cleanup by 2022.

Contact: Carl Edlund, 214-665-8124

**Background/Status:**

The Homestake Mining Company (Homestake) Uranium Mill NPL site (Site) is located 5.5 miles north of Milan, NM. It consists of a large tailings pile (LTP) that covers 200 acres in area and contains 21 million tons of uranium mill tailings. The Site also contains a small tailing pile (STP) covering 40 acres and containing 1.2 million tons of tailing. Tailing seepage has contaminated the ground water at the Site. EPA is using community involvement tools such as TASC (Technical Assistance for Superfund Communities) to help engage the community.

**Issue: Kirtland Air Force Base (KAFB), Albuquerque, NM – Fuel Spill and EDB Plume****Message:**

- After many years of investigations and delays, on June 30 KAFB began pumping and treating groundwater from a single extraction well. As of August 7, approximately 2 MG of groundwater has been treated removing approximately 1,000 mg of EDB. Up to seven additional extraction wells are planned for 2015 and 2016.
- New Mexico Environment Department (NMED) and Air Force leadership have committed the technical and financial resources necessary to accomplish meaningful project objectives consistent with milestones identified in NMED's 2015 Strategic Plan for the fuel spill.

Contact: Susan Spalding, 214-665-8022

**Background/Status:**

In 1999, a long-term release of millions of gallons of jet fuel and aviation gasoline (avgas) was discovered in underground pipelines at the Bulk Fuels Facility. Ethylene dibromide (EDB) is a component of avgas and has an MCL of 0.00005 mg/L. Fuels have percolated 500 feet down to the drinking water aquifer and remain a continuing source of groundwater contamination. EPA R6 is providing numerical groundwater flow and mass transport modeling assistance to NMED and the fuel spill team.

## **Oklahoma**

### **Issue: Tar Creek Superfund Site, Ottawa County**

#### **Message:**

- EPA worked with the Oklahoma Department of Environmental Quality (ODEQ) and the County Health Department, to remediate over two thousand residential properties.
- Removal of contaminated soils and removing chat piles has reduced the blood lead levels of children in the area to below the National average.

Contact: Carl Edlund, 214 665-8124

#### **Background/Status:**

The Tar Creek Superfund Site (Site) is part of the Tri-State Mining District, which includes northeastern Oklahoma, southeastern Kansas, and southwestern Missouri. Specifically, the Site includes the Old Picher Field lead and zinc mining area located in northeastern Ottawa County. The Site consists of five mining cities, Picher, Cardin, Quapaw, Commerce, and North Miami, and other areas within Ottawa County. Chat piles are located throughout the communities. Lead-contaminated soils and chat piles are a source of exposure to the population, especially to young children.

## **Texas**

### **Issue: Injection Induced Seismicity**

#### **Message:**

- Recent earthquakes in several states, including Texas and more prevalently Oklahoma, are suspected or acknowledged by many to be caused by oil and gas related disposal wells.
- With the participation of several States, EPA led the development of a report on managing and minimizing injection induced seismicity.

Contact: Philip Dellinger, 214-665-8324

#### **Background/Status:**

The EPA/State report on managing and minimizing injection induced seismicity was released in February of this year and provides practical approaches for use by injection well regulators to

address suspected injection-induced earthquakes. The report is largely based on lessons learned by state agencies that have experienced injection related earthquakes. Region 6 continues to provide technical support, primarily to Oklahoma, related to managing injection induced seismicity.

**Issue: Texas DWSRF ULO**

**Message:**

- The Texas Drinking Water State Revolving Fund (DWSRF) has had a high unliquidated obligation (ULO) balance for more than ten years, e.g. as much as four times their annual allotment.
- Even though the Texas Water Development Board (TWDB) has accomplished statutory, regulatory and operational changes necessary to improve the DWSRF program, the cumulative financial indicators are not improving and remain well below the national average.

Contact: William Honker, 214-665-7101

**Background/Status:**

On April 14, 2014, EPA HQ released the “DWSRF ULO Reduction Strategy” to: 1. liquidate past years’ grant funds, and 2. maintain a lower level of ULO in future years. EPA Region 6 is concerned that TWDB will not meet goals/deadlines established by HQ including “full utilization of funds from previous DWSRF grants (FY 2013 and prior years’ funds) by the end of September 2016.”

TWDB has been submitting quarterly reports and drawdown targets to EPA Region 6 since October 2014. While EPA commends TWDB for measures to reduce ULO; EPA remains very concerned that TWDB continues to miss their targets and therefore the pace of the ULO reduction remains low. EPA Region 6 would like to avoid issuing a notice of non-compliance to TWDB, as was issued by EPA Region 9 to the California Department of Public Health’s DWSRF program in 2013.

**Issue: San Jacinto River Waste Pits Superfund Site, Harris County, TX**

**Message:**

- To prevent the release of dioxins into the environment, a Superfund time-critical removal action was completed in July of 2011 to place an armor rock cap over the impoundments.
- Community comments include asking for EPA to improve the armor rock cap to total removal of contaminated material from the San Jacinto River
- Report released by the Corps of Engineers on August 10, 2015, suggests that removing industrial waste from a 14-acre Superfund site on the San Jacinto River could be just as dangerous as leaving it in place.

Contact: Carl Edlund, 214-665-8124



**Background/Status:**

A set of waste ponds, known as impoundments, approximately 14 acres in size, were built in the mid-1960s for disposal of paper mill wastes. In 1965 and 1966, pulp and paper mill wastes (both solid and liquid) were transported by barge from the Champion Paper Inc., paper mill in Pasadena, Texas. The impoundments are located north of I-10, west of the main river channel of the San Jacinto River, and east of the City of Houston. In 2009 EPA issued a Unilateral Administrative Order to International Paper Company and McGinnes Industrial Maintenance Corporation to conduct a Remedial Investigation and Feasibility Study. The Record of Decision, to select the Site remedy, is scheduled for the summer of 2016.

**Issue: South Cavalcade Superfund Site****Message:**

- The community has been very active and has raised concerns about past exposure and impacts to residential drinking water.
- In addition to the contaminated soil being capped under clean soil and concrete, the City of Houston is supplying drinking water for the residents.

Contact: Carl Edlund, 214-665-8124

**Background/Status:**

The South Cavalcade Street Superfund Site occupies approximately 66 acres of land located approximately three miles north of downtown Houston, Texas. Koppers Company, Inc., now known as Beazer, operated a wood treating facility and a coal tar distillation plant from the 1940s to 1960s which resulted in soil and ground water contamination. There is no exposure from the contaminated soil or ground water at the Site, as the contaminated soil is capped under clean soil and concrete.

**Issue: Syrian Chemicals Waste at Veolia Environmental Services, Port Arthur, Texas****Message:**

- Of the 75 Hydrofluoric acid (HF) cylinders Veolia received from Syria for destruction at its Port Arthur facility, it successfully incinerated 26 cylinders.
- The remaining 49 cylinders will be incinerated within the next six months.

Contact: Kishor Fruitwala, 214-665-6669

**Background/Status:**

In July 2014, Veolia received chemical waste from Syria for destruction at its Port Arthur facility. It had successfully incinerated 26 HF cylinders. The other 49 cylinders could not be emptied due to plugging of valves caused by formation of iron fluoride in the cylinders. It had depressurized nine cylinders. Veolia completed the steel sleeve/grout phase of the remaining cylinders on July 14. This was a critical step in ensuring safety of the cylinders and preventing

accidental release of HF due to pitting or fouling. MMIC of UK will assist Veolia with the Process Hazard Analysis of the hot tap and feed phase of the project. Once successfully tested, the contents of the 49 cylinders will be fed into the on-site incinerator for destruction.

### **New Mexico and Oklahoma**

#### **Issue: Treatment in a Manner Similar to a State (TAS) Determination for CWA §303(c) and §401:**

##### **Message:**

- Region 6 is following the review process outlined in the Agency's 2008 "TAS Strategy."
- In July 2015, Region 6 completed an approval action on the Pueblo of Santa Ana's TAS application for the water quality standards and certification programs.

Contact: William Honker, 214-665-3187

##### **Background/Status:**

Region 6 is currently reviewing two applications for treatment in a manner similar to a state (TAS) for the Clean Water Act water quality standards (§303(c)) and water quality certification (§401) programs. The Citizen Potawatomi Nation (OK) and the Pueblo of Laguna (NM) each submitted TAS applications for Region 6 in fall 2014.

### **Texas/New Mexico Border Region**

#### **Issue: Children's Environmental Health on the Border: Protecting Children Where They Live, Learn, and Play – September 24-25, 2015, El Paso, Texas**

##### **Message:**

- U.S. Environmental Protection Agency is working with its partners to conduct a multiday symposium to address binational environmental challenges and disproportionate health impacts that burden Border communities, especially as they impact children.
- Informing healthcare professionals, public health practitioners, promotoras, and others in the community about the crucial links between the environment and health is an essential step towards improving health outcomes in communities along the Border.

Contact: Paula Selzer, 214-665-6663

##### **Background/Status:**

The two main purposes of the symposium are: 1) to increase knowledge of how early childhood exposures can affect children's health; and 2) to facilitate networking among the healthcare community, promotoras, and the public. Two symposia are being planned with the first

Symposium being held in El Paso, Texas in September, and a second one in San Diego, California later this year. In addition, the Border Health Commission will train promotoras in several communities along the border, and they will be featured during the symposium in El Paso.

### **Arkansas, Louisiana, and Texas**

#### **Issue: Arkansas, Louisiana and Texas Regional Haze**

##### **Message:**

- Region 6 is in the process of reviewing the comments received on the Arkansas Regional Haze Federal Implementation Plan (FIP) proposal, and is targeting spring 2016 for promulgating a final FIP. Contact Dayana Medina: 214-665-7241.
- Region 6 is working with Louisiana Department of Environmental Quality (LDEQ) to submit a Regional Haze SIP revision to address four non-power plants, and another SIP revision to address the power plants.
- Region 6 is addressing comments for the Texas regional haze FIP and expects to meet its CD deadline of a final action by 12/9/15.

Contact Joe Kordzi, 214-665-7186.

##### **Background/Status:**

**Arkansas:** On March 6, 2015, we signed a proposed Regional Haze FIP for Arkansas to correct the deficiencies in the SIP submitted by the State. The public comment period closed on August 7, 2015, and we are currently in the process of reviewing the comments received and will then begin drafting responses. A final CD deadline for finalizing the FIP and/or approving a SIP revision has not yet been lodged with the court, but at this time we are targeting spring 2016 for finalizing our FIP.

**Louisiana:** On July 3, 2012, we finalized a partial limited approval and partial disapproval of Louisiana's Regional Haze SIP. The action disapproved Louisiana's BART for four non-EGU facilities. EPA Region 6 is still working with LDEQ and the facilities to submit a SIP revision addressing the deficiencies. In a separate action, EPA finalized a limited disapproval of the Louisiana regional haze SIP because of deficiencies in Louisiana's and other states' regional haze SIP submittals arising from the remand by the U.S. Court of Appeals for the District of Columbia (D.C. Circuit) to the EPA of the Clean Air Interstate Rule (CAIR) (77 FR 33642, 6/7/12). Due to the recent court decision on CSAPR, there is uncertainty on whether Louisiana can rely on CSAPR for NO<sub>x</sub> BART, but not for SO<sub>2</sub> BART.

**Texas:** On 12/16/14, we proposed an action that includes the control of sulfur dioxide (SO<sub>2</sub>) at 15 coal fired power plant units, located at 8 facilities in Texas. The comment period was extended and ended on 4/20/15. We are addressing the comments we received and expects to meet its CD deadline of a final action by 12/9/15. Due to the recent court decision on CSAPR, there is uncertainty on whether Texas can rely on CSAPR for NO<sub>x</sub> and SO<sub>2</sub> BART.

## **Arkansas, Louisiana, New Mexico, Oklahoma and Texas**

### **Issue: Release of the Clean Power Plan for new, modified and existing fossil fueled EGUs and the Proposed Federal Plan**

#### **Message:**

- As states review the recently published Clean Power Plan and the Proposed Federal Plan, the Region is very interested in assisting the states in understanding the requirements. We can hold state-specific conference calls or topical calls to walk through aspects of the Plan.
- When the Proposed Federal Plan is published in the Federal Register, it will start a 90 day public comment period. States are encouraged to participate in the public comment process by speaking at the public hearings (dates/locations to be determined) and/or submitting written comments.

Contact: Rob Lawrence, 214-665-6580

#### **Background/Status:**

On August 3, the Administrator signed the final versions of the emission guidelines under Clean Air Act section 111(b) for new or modified sources and 111(d) for existing sources. If states fail to submit an approvable state implementation plan for these standards, EPA will carry out a Federal Plan. The Administrator signed the proposal for the Federal Plan on August 3. Once published in the Federal Register, there will be a 90 day public comment period on the proposed Federal Plan.

### **Issue: RA participation in the ECOS subgroup “Shale Forum”**

#### **Message:**

- Recently, Administrator McCarthy updated the designation of EPA representatives to the EPA/IOGCC Task Force. Joining RAs from Regions 6 & 8 will be RAs from Regions 3 & 5 and Teresa Marks, the Administrator’s advisor on unconventional oil & gas issues.
- The change in designation reflects a change in awareness of environmental issues beyond the traditional state oil & gas regulatory agencies (members of IOGCC), including air emissions and waste management. The ECOS members (state environmental agencies) are encouraged to engage in the dialogue with their counterpart state oil & gas regulatory agencies.

Contact: Rob Lawrence, 214-665-6580

#### **Background/Status:**

The RA and the Region 8 RA accepted an invitation to attend the ECOS meeting and speak to the Shale Forum. The Shale Forum includes the 30 to 35 states that have been undergoing exploration and development of shale and tight sand formations to access fossil resources, usually through hydraulic fracturing and horizontal drilling.

